

7       from the first oxide and consisting substantially of  
8       lithium, nickel, cobalt, a metal other than nickel and  
9       cobalt, and oxygen, and said third oxide being different  
10      from the first and second oxides and consisting  
11      substantially of lithium, cobalt and oxygen or of lithium,  
12      cobalt, a metal other than cobalt, and oxygen.

1       **35.** (new) The nonaqueous electrolyte secondary battery as  
2       recited in claim 34, characterized in that said first oxide  
3       is an oxide derived via substitution of other element for  
4       a part of manganese in a lithium-manganese complex oxide,  
5       said second oxide is an oxide derived via substitution of  
6       cobalt and other element for a part of nickel in a  
7       lithium-nickel complex oxide, and said third oxide is a  
8       lithium-cobalt complex oxide or an oxide derived via  
9       substitution of other element for a part of cobalt in said  
10      lithium-cobalt complex oxide.

1       **36.** (new) The nonaqueous electrolyte secondary battery as  
2       recited in claim 34, characterized in that said first oxide  
3       is a lithium-manganese complex oxide represented by the  
4       compositional formula  $\text{Li}_x\text{Mn}_{2-y}\text{M}_1y\text{O}_{4+z}$  (where M<sub>1</sub> is at least one  
5       element selected from the group consisting of Al, Co, Ni,  
6       Mg and Fe,  $0 \leq x \leq 1.2$ ,  $0 < y \leq 0.1$  and  $-0.2 \leq z \leq 0.2$ ).

1       **37.** (new) The nonaqueous electrolyte secondary battery as  
2       recited in claim 34, characterized in that said second  
3       oxide is represented by the compositional formula

4        $\text{Li}_a\text{M}_2\text{b}\text{Ni}_c\text{Co}_d\text{O}_2$  (where M2 is at least one element selected  
5       from the group consisting of Al, Mn, Mg and Ti,  $0 < a <$   
6        $1.3$ ,  $0.02 \leq b \leq 0.3$ ,  $0.02 \leq d/(c + d) \leq 0.9$  and  $b + c + d$   
7        $= 1$ ).

1       **38.** (new) The nonaqueous electrolyte secondary battery as  
2       recited in claim 34, characterized in that said third oxide  
3       is represented by the compositional formula  $\text{Li}_e\text{M}_3\text{fCo}_{1-f}\text{O}_2$   
4       (where M3 is at least one element selected from the group  
5       consisting of Al, Mn, Mg and Ti,  $0 < e < 1.3$  and  $0 \leq f \leq$   
6        $0.4$ ).

1       **39.** (new) The nonaqueous electrolyte secondary battery as  
2       recited in claim 36, characterized in that M1 in the first  
3       oxide's compositional formula  $\text{Li}_x\text{Mn}_{1-y}\text{M}_1\text{yO}_{4+z}$  is at least one  
4       of Al and Mg.

1       **40.** (new) The nonaqueous electrolyte secondary battery as  
2       recited in claim 37, characterized in that M2 in the second  
3       oxide's compositional formula  $\text{Li}_a\text{M}_2\text{b}\text{Ni}_c\text{Co}_d\text{O}_2$  is Mn.

1       **41.** (new) The nonaqueous electrolyte secondary battery as  
2       recited in claim 40, characterized in that  $0.1 \leq d/(c + d)$   
3        $\leq 0.5$  is satisfied in the second oxide's compositional  
4       formula  $\text{Li}_a\text{M}_2\text{b}\text{Ni}_c\text{Co}_d\text{O}_2$ .

1       **42.** (new) The nonaqueous electrolyte secondary battery as  
2       recited in claim 38, characterized in that said third oxide

3       is represented by the compositional formula  $\text{Li}_e\text{M}_{3f}\text{Co}_{1-f}\text{O}_2$   
4       (where M<sub>3</sub> is at least one element selected from the group  
5       consisting of Mg and Ti,  $0 < e < 1.3$  and  $0.02 \leq f \leq 0.2$ ).

1       **43.** (new) The nonaqueous electrolyte secondary battery as  
2       recited in claim 34, characterized in that said first,  
3       second and third oxides are mixed in the ratio by weight of  
4       (first oxide) to (second oxide + third oxide) = 20:80 -  
5       80:20.

1       **44.** (new) The nonaqueous electrolyte secondary battery as  
2       recited in claim 43, characterized in that said second and  
3       third oxides are mixed in the ratio by weight of (second  
4       oxide) to (third oxide) = 90:10 - 10:90.

1       **45.** (new) The nonaqueous electrolyte secondary battery as  
2       recited in claim 34, characterized in that said first oxide  
3       has a mean particle diameter of 5 - 30  $\mu\text{m}$ .

1       **46.** (new) The nonaqueous electrolyte secondary battery as  
2       recited in claim 34, characterized in that said second  
3       oxide has a mean particle diameter of 3 - 15  $\mu\text{m}$ .

1       **47.** (new) The nonaqueous electrolyte secondary battery as  
2       recited in claim 34, characterized in that said third oxide  
3       has a mean particle diameter of 3 - 15  $\mu\text{m}$ .